

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FERNANDO NAVARRO
 HERNANDEZ,

Petitioner,

vs.

E.K. McDANIEL, *et al.*,

Respondents.

3:09-cv-00545-LRH-RAM

ORDER

This action is a petition for a writ of habeas corpus under 28 U.S.C. § 2254 by Fernando Navarro Hernandez, a Nevada prisoner sentenced to death. On September 24, 2009, the court granted petitioner's motion for appointment of counsel, and appointed the Federal Public Defender's office (FPD) as his counsel, subject to notice from the FPD of its ability to represent petitioner. Docket #4.

On September 29, 2009, Assistant Public Defenders Tiffani D. Hurst and C. Benjamin Scroggins filed notice that the FPD accepts of representation of the petitioner. Docket #5. On the same day, the Deputy Attorney General Heather Proctor of the Nevada Attorney General's office filed a notice of appearance for the respondents. Docket #6.

The court will now set a scheduling conference. In advance of the conference, counsel for both petitioner and respondents will be expected to become familiar with the case, if they have not

1 already done so. During this time, counsel for petitioner should meet with the petitioner (if they
2 have not already done so), confer with the petitioner's previous counsel, and gather the case files and
3 court records relative to this action.

4 Also, during this time, counsel for petitioner and counsel for respondents should confer with
5 each other regarding the anticipated course of proceedings in the action.

6 **IT IS ORDERED THAT** a telephonic status conference is scheduled for **Monday,**
7 **January 11, 2010, at 10:00 a.m.** At the conference, counsel for petitioner shall be prepared to
8 advise the court whether the complete state-court record has been obtained, and, if not, what portions
9 are missing, why they are missing, what efforts have been made to obtain them, and how long it will
10 take to obtain them. Counsel for petitioner and counsel for respondents shall be prepared to discuss
11 the schedule for further litigation of this action. Counsel for petitioner and counsel for respondents
12 shall be available at their respective telephone numbers ((702)-388-6577 for petitioner's counsel, and
13 (775) 684-1272 for respondents' counsel) at the time set for the telephonic status conference or,
14 alternatively, counsel may contact Rosemarie Miller (775 686-5829) to make other arrangements.

15 DATED this 5th day of October, 2009.



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18 LARRY R. HICKS
19 UNITED STATES DISTRICT JUDGE
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